

EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Baby Bean Productions LLC,

Plaintiff,

v.

PLAINTIFF'S RESPONSES TO
DEFENDANT'S FIRST SET OF
INTERROGATORIES

07-CV-3616 (MGC)

DC Shoes Inc.,

Defendant.
-----X

Plaintiff answers Defendant's First Set of Interrogatories, subject to the general and specific objections contained herein, as follows. Plaintiff has undertaken a good faith investigation to answer Defendant's First Set of Interrogatories, such investigation continuing. Plaintiff will supplement its responses as appropriate.

GENERAL OBJECTIONS

Plaintiff objects to Defendant's requests to the extent that they seek to place obligations regarding the form of Plaintiff's written response different from those imposed by Fed. R. Civ. P. § 33.

Plaintiff further objects to Defendant's requests to the extent that they seek to place obligations regarding the scope of undertaking required by Plaintiff in responding to the interrogatories different from those imposed by Fed. R. Civ. P. § 33.

Plaintiff further objects to Defendant's requests to the extent that they seek to place obligations regarding the form of Plaintiff's written response different from those imposed by Fed. R. Civ. P. § 33.

RESPONSES

Interrogatory No. 1.: Identify every person, aside from counsel, who participated in answering these interrogatories.

Response

Danny Parks, Lou Perez and Robert Ramos, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 2.: Identify each person having knowledge of facts relevant to the subject matter of the Complaint.

Objections

Plaintiff objects to this interrogatory in that identifying "each person" is overbroad and unduly burdensome.

Response

Danny Parks, Lou Perez and Robert Ramos, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 3.: Identify all persons and/or entities with whom Plaintiff had communications regarding the subject matter of this lawsuit.

Objections

Plaintiff objects to this interrogatory in that identifying "all persons" is overbroad and unduly burdensome.

Response

Danny Parks, Lou Perez and Robert Ramos, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 4.: Identify the current members of Plaintiff.

Response

Danny Parks, who may be contacted through Plaintiff's attorney.

Interrogatory No. 5.: Identify the employees of Plaintiff during the period January 1, 2005 through the present.

Response

Danny Parks, who may be contacted through Plaintiff's attorney.

Interrogatory No. 6.: Identify all persons and/or entities involved in selecting the trademark KING OF NEW YORK.

Response

Lou Perez, who may be contacted through Plaintiff's attorney.

Interrogatory No. 7.: Identify all third parties who have licensed or to whom Plaintiff has granted permission to use Plaintiffs KING OF NEW YORK trademark.

Objections

Plaintiff objects to this interrogatory in that identifying "all persons" is overbroad and unduly burdensome.

Response

None.

Interrogatory No. 8.: Identify all third parties to whom Plaintiff has made offers of sponsorships for its KING OF NEW YORK events, including third parties who have received proposals of sponsorships and/or who have contracted with Plaintiff to sponsor its KING OF NEW YORK events.

Objections

Plaintiff objects to this interrogatory in that identifying "all third parties" is overbroad and unduly burdensome.

Response

Sponsors from 1995 to 2004 included: Base Brooklyn, NYC Parks and Recreation, No Joke, Phunk Junk, Varsity, Chop Shop, Third Rail, Brooklyn House, Bushmen, Bronx Bicycle Center, Freestyle Unlimited Designs, Specialized, Mountain Dew, S&M Bikes, Twenty Inch Productions.

Sponsors in 2006 included: Scion, Home Depot, Pony Malta, Maxxis, Woodward Sports Camp, Bell Helmets, The Children's Tumor Foundation, Azzure Denim, Street Sweeper Bicycles, and the New York City Department of Parks and Recreation; Redbull, FreeCycle Action Sports Team, GT Bikes, Schwinn, Mongoose, Pyramid Shoes, BMX Invasion, S&M Bikes, Revenge Industries, Fit Bikes, Tree Bicycle Company, Hoffman Bikes, Group Home Bikes, and Bulldog Bike Company.

Sponsors in 2007 included: Scion, Zoo York, Home Depot, and Woodward Camp; Diamond Back, Alpine Stars, Tri-Flow, Maxxis, FreeCycle Action Sports, BMX Invasion, Hoffman Bikes, Group Home Bikes, Animal, Brooklyn Bike Riders, and Baby Bean Productions LLC.

Plaintiff is creating presently a detailed list of sponsor contact information and information regarding parties to whom Plaintiff offered sponsorships and will provide the list shortly to supplement the foregoing response.

Interrogatory No. 9.: Identify each representative of Plaintiff who has spoken or otherwise communicated with representatives of Defendant regarding Plaintiffs KING OF NEW YORK event.

Response

Danny Parks, who may be contacted through Plaintiff's attorney.

Interrogatory No. 10.: Identify each representative of Defendant who has ever spoken with representatives of Plaintiff regarding Plaintiffs KING OF NEW YORK event.

Response

Based on Plaintiff's recollection and/or records, Plaintiff answers as follows.

Plaintiff emailed in 2006 a proposal to Blair Marlin but did not speak directly with Mr. Marlin. Plaintiff left phone messages for Roy Cox in 2006 but Mr. Cox never returned any of messages.

Lisa Tsuida called Plaintiff on or about January 8, 2007.

Plaintiff left voice mail messages on or about February 28 and March 9, 2007 for Ms. Tsuida and/or Ken Block.

Plaintiff left a voice mail message for Sean Lake on or about January 5, 2007.

Plaintiff left a voice mail message for Kate Engelsman on or about January 8, 2007.

Plaintiff left a voice mail message for Lisa Tsuida and Ken Block on or about January 16, 2007.

Plaintiff left a voice mail message for Kate Engelsman on or about January 22, 2007.

Plaintiff spoke with Ashley (last name unknown) and Brooke Schell at various other times in early 2007.

Interrogatory No. 11.: Identify all persons and/or entities involved in the selection or searching of plaintiffs KING OF NEW YORK trademark.

Response

Lou Perez, who may be contacted through Plaintiff's attorney.

Interrogatory No. 12.: Identify all persons who Plaintiff alleges were confused as to source, association or sponsorship between plaintiffs KING OF NEW YORK mark or events and Defendant's marks or events.

Objections

Plaintiff objects to this interrogatory in that identifying "all persons" is overbroad and unduly burdensome.

Response

Plaintiff has presently identified the following parties who have expressed actual confusion and/or required clarification regarding the source, association and/or sponsorship between the parties based on the parties' respective use of Plaintiff's "King of New York":

Doug Schneider, Senior VP of Marketing, Hill & Knowlton, 10 Corporate Park, Suite 200 Irvine, CA 92606.

Jeff Regis and Tomasito Bobadilla, Redbull North America, East Business Unit, 70 Hudson Street, 6th Floor, Hoboken, NJ 07030.

Interrogatory No. 13.: Identify all persons with knowledge of Plaintiffs net and gross revenues realized from its KING OF NEW YORK events.

Response

Danny Parks, Lou Perez and Robert Ramos, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 14.: Identify all persons with knowledge of the dates of first use and first use in commerce of Plaintiff's KING OF NEW YORK trademark.

Response

Danny Parks, Lou Perez and Robert Ramos, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 15.: Identify all persons with knowledge of the circumstances under which Plaintiff learned of Defendant's alleged KING OF NEW YORK event.

Response

Danny Parks and Lou Perez, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 16.: Identify all individuals who have complained of defects or problems with Plaintiffs KING OF NEW YORK event.

Objections

Plaintiff objects to this interrogatory in that "defects" is ambiguous as used in connection with Plaintiff's events.

Response

Plaintiff is aware of no party responsive to this request.

Interrogatory No. 17.: Identify all persons with knowledge of Plaintiffs procurement of the rights to the KING OF NEW YORK mark.

Response

Danny Parks and Lou Perez, each of whom may be contacted through Plaintiff's attorney.

Interrogatory No. 18.: Identify how Plaintiff computes each category of damages claimed by Plaintiff to be recoverable in this case.

Objections

Plaintiff objects to this interrogatory as being premature.

Interrogatory No. 19.: Identify the custodian, location and general description of all documents relevant to this action or reasonably calculated to lead to the admission of relevant evidence.

Response

Danny Parks, Baby Bean Productions LLC, Boalsburg, PA 16827.

As to Answers:

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, except as to those statements made upon information and belief, which I believe to be true and correct.

Plaintiff, Baby Bean Productions LLC
by Danny Parks

Dated: September 17, 2007

As to Objections:

Jeffrey Sonnabend (JS1243)
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600 Prospect Avenue
Brooklyn, NY 11215-6012
718-832-8810
JSonnabend@SonnabendLaw.com

Attorney for Plaintiff

Dated: September 17, 2007

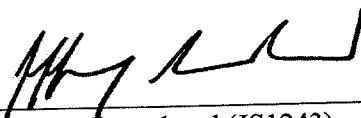
As to Answers:

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, except as to those statements made upon information and belief, which I believe to be true and correct.

Plaintiff, Baby Bean Productions LLC
by Danny Parks

Dated: September 17, 2007

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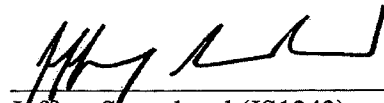
Attorney for Plaintiff

Dated: September 17, 2007

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Plaintiff's Responses to Defendant's First Set of Interrogatories was served on the date below upon counsel for Defendants by first class mail and email to:

Mr. Adam M. Cohen
Kane Kessler, P.C.
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Dated: September 17, 2007